

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

_____	)	
PAUL DAVIS,	)	
	)	
Plaintiff	)	
	)	Civil Action No. 04-11851-WGY
v.	)	
	)	
SUFFOLK COUNTY, SUFFOLK	)	
COUNTY SHERIFF'S	)	
DEPARTMENT AND ANDREA	)	
CABRAL (in her official capacity),	)	
	)	
Defendants	)	
_____	)	

**DEFENDANTS' MOTION FOR SUMMARY JUDGMENT**

Now come Defendants in the above matter, who move this Court to enter summary judgment in their favor on all remaining counts. As grounds therefore, Defendants state that the plaintiff was terminated for legitimate, non-retaliatory reasons. The record is replete with plaintiff's admissions of misconduct concerning the covering-up of multiple assaults of pre-trial detainees at the Nashua Street Jail. He is unable to demonstrate that he was terminated because he engaged in protected activity, as another jail officer who engaged in the exact same protected activity was not terminated. In further support of this motion, Defendants rely on the Statement of Undisputed Material Facts Pursuant to Local Rule 56.1, and exhibits thereto, as well as their memorandum of law in support of this motion.

**Defendants respectfully request a hearing on this motion.**

**Local Rule 7.1 Certification**

I hereby certify that I have conferred with plaintiff's counsel on September 12, 2005 in an attempt to narrow the issues raised by Defendants' Motion for Summary Judgment.

/s/ James M. Davin

Respectfully submitted for all  
DEFENDANTS,  
By their attorney

/s/ James M. Davin

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